

REMARKS / ARGUMENTS

The Examiner states that “In the instant case, invention II has separate utility such as use [as a] circuit breaker assembly not using the specific bracket of I.” (Paper 658, page 2).

Applicant respectfully traverses this Election / Restriction requirement for the following reasons.

Applicant respectfully submits that independent Claim 1 (of Group I) is drawn to a connecting assembly for a motor operator assembly, and that independent Claim 11 (of Group II) is drawn to a circuit breaker assembly comprising an assembly of Claim 1. Accordingly, since the invention of Group II necessarily has utility using a bracket of Group I, the invention of Group II cannot have separate utility such as use as a circuit breaker assembly not using a bracket of Group I.

In view of the claimed invention of Group II being drawn to subject matter necessarily having utility using structure of Group I, a search and examination of the application including Groups I and II may be made without serious burden to the Examiner. Accordingly, restriction of Groups I and II for examination purposes is improper.

For at least this reason, this Restriction Requirement is wholeheartedly traversed, and removal of the Requirement, at least with respect to the improper groupings noted above, is respectfully requested.

Consideration and allowance of these claims are respectfully requested. The foregoing is believed to be fully responsive to this office action.

The Commissioner is hereby authorized to charge any additional fees that may be required for this response, or credit any overpayment, to Deposit Account No. 06-1130.

Respectfully submitted,
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